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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,730	03/26/2004	Pramod K. Sharma	2003-0762.02	9683

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LEXMARK INTERNATIONAL, INC.
INTELLECTUAL PROPERTY LAW DEPARTMENT
740 WEST NEW CIRCLE ROAD
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LEXINGTON, KY 40550-0999

EXAMINER

VARGAS, DIXOMARA

ART UNIT	PAPER NUMBER
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2859

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/19/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/810,730	Applicant(s) SHARMA ET AL.	
	Examiner Dixomara Vargas	Art Unit 2859	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 and 31-46 is/are pending in the application.
- 4a) Of the above claim(s) 32-46 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-29 and 31 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-29 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Omata et al. (US 6,442,356 B2) in view of DeMeester et al. (US 6,479,999 B1).

With respect to claims 1, 23 and 29-31, Omata discloses an image transfer assembly for use with an image forming device, said image transfer assembly comprising (Figure 5): a plurality of image forming units transferring print material (Pa-Pd) to a media substrate (paper P), each of said plurality of image forming units comprising a photoconductive unit (#101a-#101d) and a transfer device (#105a-#105d) positioned to receive the media substrate

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therebetween (paper P); and a first power supply coupled to said transfer devices and supplying a voltage thereto (#170a-#170d).

In addition, Omata discloses the claimed invention as stated above except for a first power supply coupled to at least two but less than all of said transfer devices. However, DeMeester discloses a first power supply coupled to at least two but less than all coils (Figures 2 and 3, #70, #76 and #86). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a first power supply coupled to at least two but less than all of the devices as taught by DeMeester' with Omata's image transfer assembly for the purpose of applying different voltage to the items as required (Column 9, lines 12-34).

4. With respect to claims 2, 21, 24 and 26, Omata discloses the voltage supplied by said first power supply is substantially the same for each of said at least two transfer devices (Column 7, lines 9-49).

5. With respect to claims 3, 22 and 25, Omata discloses the voltage generated by said first power supply is different for each of said at least two transfer devices (Column 7, lines 9-49).

6. With respect to claims 4, 14 and 27, Omata discloses a first image forming unit and a second image forming unit (Pa-Pd), said first image forming unit receiving said media substrate (paper P) before said second image forming unit (Figure 5), said first image forming unit comprising a first transfer device and said second image forming unit comprising a second transfer device (#105a-#105d), said first and second transfer devices being coupled to said first power supply (#170a-#170d), wherein the voltage of the second transfer device is greater than the voltage of the first transfer device (Column 7, lines 9-49).

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7. With respect to claims 5 and 15, Omata discloses said first image forming unit comprises black print material (Column 3, lines 13-24).
8. With respect to claims 6 and 16, Omata discloses said second image forming unit comprises yellow print material (Column 3, lines 13-24).
9. With respect to claim 7, Omata discloses said first power supply comprises a plurality of Zener diodes to generate the different voltages for each of said at least two transfer devices (Column 7, lines 36-49).
10. With respect to claim 8, Omata discloses a second power supply coupled to another one of said transfer devices (#170a-#170d).
11. With respect to claims 9, 13 and 17, Omata discloses a voltage range of said first power supply is substantially the same as a voltage range of said second power supply (Column 7, lines 9-49).
12. With respect to claim 10, Omata discloses a third power supply coupled to another one of said transfer devices (#170a-#170d), wherein a voltage range of said third power supply is greater than the voltage range of said first and second power supplies (Column 7, lines 9-49).
13. With respect to claims 11 and 28, Omata discloses the voltage supplied to said at least two transfer devices is substantially constant during operation of said image forming device (Column 7, lines 9-49).
14. With respect to claims 12 and 18, see rejection of claims 1-6 above.
15. With respect to claim 19, see rejection of claims 1-6 above. In addition, Omata discloses a fuser (Figure 4 (#111)); and a housing supporting said image transfer assembly and said fuser (housing in Figures 1 and 4 not numbered).

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16. With respect to claim 20, Omata discloses a transport belt coupled to said housing and moving said media substrate to each of said image forming units (Figures 4-6, #190).

Response to Arguments

17. Applicant's arguments with respect to claims 1-29 and 31 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

18. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dixomara Vargas whose telephone number is (571) 272-2252.


The examiner can normally be reached on Monday to Thursday from 8:00 am. to 4:30 pm..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego Gutierrez can be reached on (571) 272-2245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Dixomara Vargas
Art Unit 2859
December 11, 2006



Diego Gutierrez
Supervisory Patent Examiner
Technology Center 2800